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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,688	07/30/2003	Jack Lin	PO92287	6543
46103	7590	04/06/2005	EXAMINER	
HDSL 4331 STEVENS BATTLE LANE FAIRFAX, VA 22033			CHOI, JACOB Y	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EV

<b>Office Action Summary</b>	<b>Application No.</b> 10/629,688	<b>Applicant(s)</b> LIN, JACK	
	<b>Examiner</b> Jacob Y. Choi	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.  
 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.  
 7) ☒ Claim(s) 5 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 120. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 3 and 6 are objected to because of the following informalities: the phrase "the housing can be change thereby" should be corrected as "the housing can be changed (or changing) thereby". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 recites the limitation "the thread hollow column" in line 5. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Katoh et al. (USPN 5,105,345).

Regarding claim 1, Katoh et al. discloses housing (11) including an opening (Figure 6), a cover plate (13) made of a transparent material, being mounted on the opening, a light reflecting mask (14) including a plurality of slots (14a) being mounted inside the housing and located beneath the opening, and a light source (12) mounted inside the housing for emitting light to the light reflecting mask so that the light can emit through the slots to the cover plate.

Regarding claim 7, Katoh et al. discloses the slots are strip-shaped.

7. Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Montet et al. (USPN 6,619,828).

Regarding claim 1, Montet et al. discloses housing (headlight) including an opening (frontal section of the headlight), a cover plate (cover glass; column 1, line 17) made of a transparent material, being mounted on the opening, a light reflecting mask (220) including a plurality of slots (Figure 5) being mounted inside the housing and located beneath the opening, and a light source (150) mounted inside the housing for emitting light to the light reflecting mask (Figure 5) so that the light can emit through the slots to the cover plate.

Regarding claim 7, Montet et al. discloses the slots are strip-shaped.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, 3, 4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cvek (USPN 5,097,400).

Regarding claims 1, 7 and 8, Cvek discloses housing (180) including an opening (Figure 3), a cover plate (240) made of a transparent material, being mounted on the

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opening (Figure 3), a light reflecting mask (224) including a plurality of holes (column 8, lines 10-35; *"the small holes in reflector are dimensioned and selected to permit about 20 percent of the light from the bulb to pass through the reflector with the remaining 80 to 90 percent being reflected downwardly through ring 180"*) being mounted inside the housing and located beneath the opening, and a light source (160) mounted inside the housing for emitting light to the light reflecting mask so that the light can emit through the slots to the cover plate.

Cvek discloses the claimed invention except for the plurality of slots.

It would have been obvious matter of design variation to modify holes of Cvek with slots, since applicant has not disclosed that slots instead of holes solves any stated problem other than what is already taught by Cvek (release heat and 20 percent of light rays upward) or is for any particular purpose and it appears that the invention would perform equally well with holes.

Note: applicant also suggests using holes in dependent claim 8 instead of slots.

Regarding claims 2 and 4, a plurality of cavities formed on the edge of the opening (222), the cover plate includes a plurality protrusions (248) to be engaged with the cavities so that the cover plate can be fixedly secured on the opening, and the light reflecting mask includes notches (228) so that the light reflecting mask can be mounted to the housing by a fixing device.

Cvek discloses the claimed invention, except for the fixing holes for the light-reflecting mask.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize different mounting means to secure the light reflecting mask to the housing, since applicant has not disclosed that the fixing holes and its screw solves any stated problem that Cvek does not solve or is for any particular purpose and it appears that the invention would perform equally well with notches of Cvek. Also, Cvek utilizes threaded holes (Figure 5) and its fixing device of screws (226) to mount the housing (180) and the ring (262)

Regarding claim 3, Cvek discloses the housing includes a connecting portion for connecting an adjusting rod (194) so that the position of the housing can be changed thereby.

Regarding claim 6, Cvek discloses the bottom case includes a connecting portion for connecting an adjusting rod so that the position of the housing can be changed thereby.

#### ***Allowable Subject Matter***

10. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: dependent claim 5 recites the housing includes an upper case and a bottom case where the upper case includes the opening with a plurality of cavities formed on the edge thereof and the threaded hollow column, the bottom case includes a through

hole with respect to the threaded hollow, the cover plate includes a plurality of protrusions to be engaged with the cavities so that the cover plate can be fixedly secured on the opening.

Because none of the references disclosed the detailed structure of the upper case and a bottom case and its components (listed above) for the assembly, nor is there any motivation to combine them, the claims are deemed patentable over the prior art of record.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lavy (USPN 6,059,426) – lamp head incorporated with anti-combustion arrangement

Eto (USPN 6,238,072) – vehicle lamp

Cronk (USPN 6,783,263) – adjustable reflector device

Lee (USPN 6,126,300) – multi-state shippable lampshade

Richardson (USPN 5,249,111) – reflector for use with spotlight

Russello et al. (USPN 5,249,110) – light fixture with adjustable bulb and radiant heat dissipating reflector

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y. Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).




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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



**JOHN ANTHONY WARD**  
**PRIMARY EXAMINER**